

**United States District Court
Northern District of Illinois – CM/ECF NextGen 1.7.1.1 (Chicago)
CIVIL DOCKET FOR CASE #: 1:23-cv-00853**

AAA Max 1 Limited et al v. The Boeing Company, et al
Assigned to: Honorable Sara L. Ellis
Demand: \$100,000
Case in other court: Circuit Court of Cook County Illinois,
2023L000001
Cause: 28:1332 Diversity–Breach of Contract

Date Filed: 02/10/2023
Date Terminated: 08/10/2023
Jury Demand: Both
Nature of Suit: 190 Contract: Other
Jurisdiction: Diversity

Plaintiff

AAA Max 1 Limited

represented by **Mitchell Alan Orpett**
Tribler Orpett and Meyer, P.C.
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

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Plaintiff

AAA Max 2 Limited

represented by **Mitchell Alan Orpett**
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LEAD ATTORNEY
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Ryan J. Regul

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Plaintiff

AAA Max 3 Limited

represented by **Mitchell Alan Orpett**

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LEAD ATTORNEY

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Michael R. Spanel

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ATTORNEY TO BE NOTICED

Ryan J. Regul

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ATTORNEY TO BE NOTICED

Plaintiff

AAA Max 4 Limited

represented by **Mitchell Alan Orpett**

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LEAD ATTORNEY

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Michael R. Spanel

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Ryan J. Regul

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Plaintiff

AAA B787 2 Limited

represented by **Mitchell Alan Orpett**

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LEAD ATTORNEY

ATTORNEY TO BE NOTICED

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ATTORNEY TO BE NOTICED

Ryan J. Regul

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Plaintiff

AAA B787 3 Limited

represented by **Mitchell Alan Orpett**

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LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Michael R. Spanel

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ATTORNEY TO BE NOTICED

V.

Defendant

The Boeing Company

represented by **Eric Brian Wolff**

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ATTORNEY TO BE NOTICED

Defendant

**Boeing Commercial Aviation Services
Europe Limited**

TERMINATED: 07/26/2023

represented by **Eric Brian Wolff**

(See above for address)

ATTORNEY TO BE NOTICED

Kathleen A. Stetsko

(See above for address)

ATTORNEY TO BE NOTICED

Michael Robert Huston

(See above for address)

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
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02/10/2023	<u>I 1</u>	NOTICE of Removal from Circuit Court of Cook County, case number (2023L000001) filed by Boeing Commercial Aviation Services Europe Limited, THE BOEING COMPANY, a Delaware Corporation Filing fee \$ 402, receipt number AILNDC-20339802. (Attachments: # <u>1</u> Exhibit A, Part 1, # <u>2</u> Exhibit A, Part 2, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C)(Stetsko, Kathleen) (Entered: 02/10/2023)
02/10/2023	<u>I 2</u>	CIVIL Cover Sheet (Stetsko, Kathleen) (Entered: 02/10/2023)
02/10/2023	<u>I 3</u>	NOTIFICATION of Affiliates pursuant to Local Rule 3.2 by THE BOEING COMPANY, a Delaware Corporation (Stetsko, Kathleen) (Entered: 02/10/2023)
02/10/2023	<u>I 4</u>	NOTIFICATION of Affiliates pursuant to Local Rule 3.2 by Boeing Commercial Aviation Services Europe Limited (Stetsko, Kathleen) (Entered: 02/10/2023)
02/10/2023	<u>I 5</u>	ATTORNEY Appearance for Defendants Boeing Commercial Aviation Services Europe Limited, THE BOEING COMPANY, a Delaware Corporation by Kathleen A. Stetsko (Stetsko, Kathleen) (Entered: 02/10/2023)
02/10/2023	<u>I 6</u>	ATTORNEY Appearance for Defendants Boeing Commercial Aviation Services Europe Limited, THE BOEING COMPANY, a Delaware Corporation by Eric Brian Wolff (Wolff, Eric) (Entered: 02/10/2023)
02/10/2023	<u>I 7</u>	MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM by Defendant Boeing Commercial Aviation Services Europe Limited , MOTION by Defendant Boeing Commercial Aviation Services Europe Limited to dismiss for lack of jurisdiction (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Stetsko, Kathleen) (Entered: 02/10/2023)
02/10/2023	<u>I 8</u>	MOTION by Defendant THE BOEING COMPANY, a Delaware Corporation to transfer case (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Stetsko, Kathleen) (Entered: 02/10/2023)
02/13/2023	<u>I</u>	CASE ASSIGNED to the Honorable Elaine E. Bucklo. Designated as Magistrate Judge the Honorable Beth W. Jantz. Case assignment: Random assignment. (smb,) (Entered: 02/13/2023)
02/13/2023	<u>I 9</u>	MAILED Notice of Removal letter to counsel of record. (jj,) (Entered: 02/13/2023)
02/13/2023	<u>I</u>	CLERK'S NOTICE: Pursuant to Local Rule 73.1(b), a United States Magistrate Judge of this court is available to conduct all proceedings in this civil action. If all parties consent to have the currently assigned United States Magistrate Judge conduct all proceedings in this case, including trial, the entry of final judgment, and all post-trial proceedings, all parties must sign their names on the attached <u>Consent To form. This consent form is eligible for filing only if executed by all parties. The parties can also express their consent to jurisdiction by a magistrate judge in any joint filing, including the Joint Initial Status Report or proposed Case Management Order.</u> (jj,) (Entered: 02/13/2023)
02/14/2023	<u>I 10</u>	ATTORNEY Appearance for Plaintiffs AAA B787 2 Limited, AAA B787 3 Limited, AAA Max 1 Limited, AAA Max 2 Limited, AAA Max 3 Limited, AAA Max 4 Limited by Mitchell Alan Orpett (Orpett, Mitchell) (Entered: 02/14/2023)
02/15/2023	<u>I 11</u>	NOTICE of Motion by Kathleen A. Stetsko for presentment of Motion to Dismiss for Failure to State a Claim,, motion to dismiss/lack of jurisdiction, <u>7</u> before Honorable Elaine E. Bucklo on 2/22/2023 at 09:45 AM. (Stetsko, Kathleen) (Entered: 02/15/2023)
02/15/2023	<u>I 12</u>	NOTICE of Motion by Kathleen A. Stetsko for presentment of motion to transfer case <u>8</u> before Honorable Elaine E. Bucklo on 2/22/2023 at 09:45 AM. (Stetsko, Kathleen) (Entered: 02/15/2023)
02/15/2023	<u>I 13</u>	MOTION by Defendant The Boeing Company for extension of time to file answer (Stetsko, Kathleen) (Entered: 02/15/2023)
02/15/2023	<u>I 14</u>	

		NOTICE of Motion by Kathleen A. Stetsko for presentment of motion for extension of time to file answer <u>13</u> before Honorable Elaine E. Bucklo on 2/22/2023 at 09:45 AM. (Stetsko, Kathleen) (Entered: 02/15/2023)
02/17/2023	<u>15</u>	EXECUTIVE COMMITTEE ORDER: Case reassigned to the Honorable Sara L. Ellis for all further proceedings pursuant to the provisions of 28 USC 294(b). Honorable Elaine E. Bucklo no longer assigned to the case. Signed by Executive Committee on 2/17/2023.(jh,) (Entered: 02/21/2023)
02/22/2023	<u>16</u>	MINUTE entry before the Honorable Elaine E. Bucklo: In light of the reassignment, the motion hearings noticed before Judge Bucklo are stricken. The motions are to be re-noticed before Judge Ellis consistent with her Standing Order. No appearance is required on 2/22/2023. Mailed notice. (mgh,) (Entered: 02/22/2023)
02/22/2023	<u>17</u>	RE- NOTICE of Motion by Kathleen A. Stetsko for presentment of Motion to Dismiss for Failure to State a Claim,, motion to dismiss/lack of jurisdiction, <u>7</u> before Honorable Sara L. Ellis on 2/28/2023 at 09:30 AM. (Stetsko, Kathleen) (Entered: 02/22/2023)
02/22/2023	<u>18</u>	RE- NOTICE of Motion by Kathleen A. Stetsko for presentment of motion to transfer case <u>8</u> before Honorable Sara L. Ellis on 2/28/2023 at 09:30 AM. (Stetsko, Kathleen) (Entered: 02/22/2023)
02/22/2023	<u>19</u>	RE- NOTICE of Motion by Kathleen A. Stetsko for presentment of motion for extension of time to file answer <u>13</u> before Honorable Sara L. Ellis on 2/28/2023 at 09:30 AM. (Stetsko, Kathleen) (Entered: 02/22/2023)
02/27/2023	<u>20</u>	ATTORNEY Appearance for Plaintiffs AAA B787 2 Limited, AAA B787 3 Limited, AAA Max 1 Limited, AAA Max 2 Limited, AAA Max 3 Limited, AAA Max 4 Limited by Michael Richard Spanel (Spanel, Michael) (Entered: 02/27/2023)
02/28/2023	<u>21</u>	MINUTE entry before the Honorable Sara L. Ellis: Telephone conference set for 2/28/2023 at 9:30 a.m. Attorneys/Parties should appear for the hearing by calling the Toll-Free Number: (866) 434-5269, Access Code: 8087837. Throughout the telephonic hearing, each speaker will be expected to identify themselves for the record before speaking. Please note that the conference call-in will be used by all cases that are on the court's calendar for the said date, therefore counsel must be in a quiet area while on the line and must have the telephone muted until your case is called. Members of the public and media will be able to call in to listen to this hearing (use toll free number). Persons granted remote access to proceedings are reminded of the general prohibition against photographing, recording, and rebroadcasting court proceedings. Violation of these prohibitions may result in sanctions, including removal of court-issued media credentials, restricted entry to future hearings, denial of entry to future hearings, or any other sanctions deemed necessary by the Court. Mailed notice (rj,) (Entered: 02/28/2023)
02/28/2023	<u>22</u>	MINUTE entry before the Honorable Sara L. Ellis: Telephone conference held on 2/28/2023. Motion for extension of time for The Boeing Company to answer the complaint <u>13</u> is granted. As discussed, Plaintiff is given leave to serve a limited number of interrogatories by 3/10/2023; Defendants' response by 3/17/2023. Briefing schedule on motion to transfer venue <u>8</u> : Plaintiff's response 4/7/2023; Defendant's reply is due by 4/21/2023. Defendant Boeing Commercial Aviation Services Europe Limited's motion to dismiss for lack of personal jurisdiction and failure to state a claim <u>7</u> is entered and continued to next status date. Telephone conference set for 5/24/2023 at 9:30 AM for ruling on motion transfer venue. Attorneys/Parties should appear for the hearing by calling the Toll-Free Number: (866) 434-5269, Access Code: 8087837. Throughout the telephonic hearing, each speaker will be expected to identify themselves for the record before speaking. Please note that the conference call-in will be used by all cases that are on the court's calendar for the said date, therefore counsel must be in a quiet area while on the line and must have the telephone muted until your case is called. Members of the public and media will be able to call in to listen to this hearing (use toll free number). Persons granted remote access to proceedings are reminded of the general prohibition against photographing, recording, and rebroadcasting court proceedings.

Violation of these prohibitions may result in sanctions, including removal of court-issued media credentials, restricted entry to future hearings, denial of entry to future hearings, or any other sanctions deemed necessary by the Court. Mailed notice (rj,) (Entered: 03/01/2023)

03/17/2023	<u>23</u>	TRANSCRIPT OF PROCEEDINGS held on 02/28/23 before the Honorable Sara L. Ellis. Order Number: 45328. Court Reporter Contact Information: Patrick Mullen, (312) 435-5565, patrick_mullen@ilnd.uscourts.gov. IMPORTANT: The transcript may be viewed at the court's public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through the Court Reporter/Transcriber or PACER. For further information on the redaction process, see the Court's web site at www.ilnd.uscourts.gov under Quick Links select Policy Regarding the Availability of Transcripts of Court Proceedings. Redaction Request due 4/7/2023. Redacted Transcript Deadline set for 4/17/2023. Release of Transcript Restriction set for 6/15/2023. (Mullen, Patrick) (Entered: 03/17/2023)
04/07/2023	<u>24</u>	MOTION by Plaintiffs AAA B787 2 Limited, AAA B787 3 Limited, AAA Max 1 Limited, AAA Max 2 Limited, AAA Max 3 Limited, AAA Max 4 Limited to remand <i>Plaintiff's Motion for Remand</i> (Orpett, Mitchell) (Entered: 04/07/2023)
04/07/2023	<u>25</u>	MEMORANDUM by AAA B787 2 Limited, AAA B787 3 Limited, AAA Max 1 Limited, AAA Max 2 Limited, AAA Max 3 Limited, AAA Max 4 Limited in support of motion to remand <u>24</u> (Attachments: # <u>1</u> Exhibit Exhibit A – Annual Report)(Orpett, Mitchell) (Entered: 04/07/2023)
04/07/2023	<u>26</u>	MOTION by Plaintiffs AAA B787 2 Limited, AAA B787 3 Limited, AAA Max 1 Limited, AAA Max 2 Limited, AAA Max 3 Limited, AAA Max 4 Limited to stay <i>BRIEFING AND CONSIDERATION OF BOEING'S MOTION TO TRANSFER</i> (Attachments: # <u>1</u> Exhibit Exhibit A)(Orpett, Mitchell) (Entered: 04/07/2023)
04/07/2023	<u>27</u>	MEMORANDUM by AAA B787 2 Limited, AAA B787 3 Limited, AAA Max 1 Limited, AAA Max 2 Limited, AAA Max 3 Limited, AAA Max 4 Limited in Opposition to motion to transfer case <u>8</u> (Attachments: # <u>1</u> Exhibit Exhibits A–F)(Orpett, Mitchell) (Entered: 04/07/2023)
04/07/2023	<u>28</u>	ATTORNEY Appearance for Plaintiffs AAA B787 2 Limited, AAA B787 3 Limited, AAA Max 1 Limited, AAA Max 2 Limited, AAA Max 3 Limited, AAA Max 4 Limited by Ryan J. Reguly (Reguly, Ryan) (Entered: 04/07/2023)
04/10/2023	<u>29</u>	ATTORNEY Appearance for Defendants Boeing Commercial Aviation Services Europe Limited, The Boeing Company by Michael Robert Huston (Huston, Michael) (Entered: 04/10/2023)
04/12/2023	<u>30</u>	NOTICE of Motion by Mitchell Alan Orpett for presentment of motion to remand <u>24</u> , motion to stay, <u>26</u> before Honorable Sara L. Ellis on 4/18/2023 at 09:45 AM. (Orpett, Mitchell) (Entered: 04/12/2023)
04/18/2023	<u>31</u>	MINUTE entry before the Honorable Sara L. Ellis: The Court sets the following briefing schedule on Defendant's motion to dismiss <u>7</u> : Plaintiffs' response is due by 5/12/2023 and Defendant's reply is due by 5/26/2023. The Court sets the following briefing schedule on Plaintiffs' motion to remand <u>24</u> : Defendants' response is due by 5/12/2023 and Plaintiffs' reply is due by 5/26/2023. The Court grants Plaintiffs' motion to stay briefing on Defendant's motion to transfer <u>26</u> and denies Defendant's motion to transfer <u>8</u> without prejudice. The Court strikes the status date set for 5/24/2023 and resets it to 7/27/2023 at 1:30 p.m. for ruling on Plaintiffs' motion to remand <u>24</u> and Defendant's motion to dismiss <u>7</u> . Attorneys/Parties should appear for the hearing by calling the Toll-Free Number: (866) 434-5269, Access Code: 8087837. Throughout the telephonic hearing, each speaker will be expected to identify themselves for the record before speaking. Please note that the conference call-in will be used by all cases that are on the court's calendar for the said date, therefore counsel must be in a quiet area while on the line and must have the telephone muted until

		your case is called. Members of the public and media will be able to call in to listen to this hearing (use toll free number). Persons granted remote access to proceedings are reminded of the general prohibition against photographing, recording, and rebroadcasting court proceedings. Violation of these prohibitions may result in sanctions, including removal of court-issued media credentials, restricted entry to future hearings, denial of entry to future hearings, or any other sanctions deemed necessary by the Court. Mailed notice (rj,) (Entered: 04/18/2023)
05/12/2023	<u>32</u>	RESPONSE by Boeing Commercial Aviation Services Europe Limited, The Boeing Company in Opposition to MOTION by Plaintiffs AAA B787 2 Limited, AAA B787 3 Limited, AAA Max 1 Limited, AAA Max 2 Limited, AAA Max 3 Limited, AAA Max 4 Limited to remand <i>Plaintiff's Motion for Remand</i> <u>24</u> (Attachments: # <u>1</u> Exhibit A)(Stetsko, Kathleen) (Entered: 05/12/2023)
05/12/2023	<u>33</u>	SEALED DOCUMENT by Defendants Boeing Commercial Aviation Services Europe Limited, The Boeing Company <i>Exhibit A to Defendants' Opposition to Plaintiffs' Motion to Remand</i> (Stetsko, Kathleen) (Entered: 05/12/2023)
05/12/2023	<u>34</u>	MOTION by Defendants Boeing Commercial Aviation Services Europe Limited, The Boeing Company to seal document sealed document <u>33</u> (Stetsko, Kathleen) (Entered: 05/12/2023)
05/12/2023	<u>35</u>	NOTICE of Motion by Kathleen A. Stetsko for presentment of motion to seal document <u>34</u> before Honorable Sara L. Ellis on 5/18/2023 at 01:45 PM. (Stetsko, Kathleen) (Entered: 05/12/2023)
05/12/2023	<u>36</u>	RESPONSE by AAA B787 2 Limited, AAA B787 3 Limited, AAA Max 1 Limited, AAA Max 2 Limited, AAA Max 3 Limited, AAA Max 4 Limited in Opposition to MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM by Defendant Boeing Commercial Aviation Services Europe Limited MOTION by Defendant Boeing Commercial Aviation Services Europe Limited to dismiss for lack of jurisdiction <u>7</u> (Orpett, Mitchell) (Entered: 05/12/2023)
05/18/2023	<u>37</u>	MINUTE entry before the Honorable Sara L. Ellis: The Court grants Defendants' motion for leave to file under seal <u>34</u> . Mailed notice (rj,) (Entered: 05/18/2023)
05/26/2023	<u>38</u>	REPLY by Plaintiffs AAA B787 2 Limited, AAA B787 3 Limited, AAA Max 1 Limited, AAA Max 2 Limited, AAA Max 3 Limited, AAA Max 4 Limited to motion to remand <u>24</u> (Orpett, Mitchell) (Entered: 05/26/2023)
05/26/2023	<u>39</u>	REPLY by Defendant Boeing Commercial Aviation Services Europe Limited to Motion to Dismiss for Failure to State a Claim,, motion to dismiss/lack of jurisdiction, <u>7</u> (Stetsko, Kathleen) (Entered: 05/26/2023)
07/26/2023	<u>40</u>	MINUTE entry before the Honorable Sara L. Ellis: The Court grants BCASEL's motion to dismiss for lack of personal jurisdiction <u>7</u> . The Court denies AAA's motion to remand <u>24</u> . The Court dismisses AAA's claims against BCASEL without prejudice for lack of personal jurisdiction. The Court strikes the status date set for 7/27/2023 and resets it to 8/10/2023. The parties should be prepared to discuss at the next status hearing whether Boeing intends to renew its motion to transfer and AAA's position on any such renewed motion. Attorneys/Parties should appear for the hearing by calling the Toll-Free Number: (866) 434-5269, Access Code: 8087837. Throughout the telephonic hearing, each speaker will be expected to identify themselves for the record before speaking. Please note that the conference call-in will be used by all cases that are on the court's calendar for the said date, therefore counsel must be in a quiet area while on the line and must have the telephone muted until your case is called. Members of the public and media will be able to call in to listen to this hearing (use toll free number). Persons granted remote access to proceedings are reminded of the general prohibition against photographing, recording, and rebroadcasting court proceedings. Violation of these prohibitions may result in sanctions, including removal of court-issued media credentials, restricted entry to future hearings, denial of entry to future hearings, or any other sanctions deemed necessary by the Court. Mailed notice. (exr,) (Entered: 07/26/2023)

07/26/2023	<u>41</u>	OPINION AND ORDER signed by the Honorable Sara L. Ellis on 7/26/2023. Mailed notice. (exr,) (Entered: 07/26/2023)
08/10/2023	<u>42</u>	ORDER: Telephone conference held on 8/10/2023. The parties appeared and reported to the Court that they agree to transfer the case to the Western District of Washington (Seattle). It is hereby ordered that this action be transferred to the Western District of Washington. Defendants' responsive pleadings are due twenty-eight (28) days from execution of transfer. Signed by the Honorable Sara L. Ellis on 8/10/2023: Mailed notice (daj,) (Entered: 08/11/2023)
08/30/2023	<u>43</u>	TRANSFERRED to the Western District of Washington the electronic record. (daj,) (Entered: 08/30/2023)